

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MONADNOCK CONSTRUCTION, INC.,

Plaintiff,

-against-

WESTCHESTER FIRE INSURANCE
COMPANY,

Defendant.

Case No.: 16 CIV. 00420
ECF Case

**STIPULATED ORDER
TO ENTER THE COURT'S
MEDIATION PROGRAM**

WESTCHESTER FIRE INSURANCE
COMPANY,

Third-Party Plaintiff,

-against-

GLASSWALL, LLC, UGO COLOMBO, and
SARA JAYNE KENNEDY COLOMBO

Third-Party Defendants.

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WHEREAS, third-party plaintiff Westchester Fire Insurance Company, third-party defendant Glasswall, LLC, and third-party defendants Ugo Colombo and Sara Jayne Kennedy Colombo (collectively, "Parties") have agreed to enter the Eastern District of New York's ("EDNY") Mediation Program to mediate the claims remaining in this Action;

WHEREAS, the Parties have agreed to first attempt to select by agreement a mediator from the EDNY Mediation Panel and, only if necessary, use the EDNY's Mediation Department's selection process as described in the Mediation Instructions to Counsel in EDNY Mediation; and

WHEREAS, the Parties have agreed to a stay for eight weeks to conduct the mediation.

NOW THEREFORE IT IS STIPULATED AND ORDERED that;

1. This Action, and all deadlines therein, are stayed for eight weeks pending the Parties participation in the EDNY's Mediation Program;
2. The Parties will promptly select a mediator by agreement or through the EDNY's Mediation Program's mediator selection process and file with the Court the name of the mediator and the date, time and palace of the first mediation session; and
3. Once the mediation is completed, the Parties will so inform the Court. If the Parties agree to a negotiated settlement of all claims and defenses, they shall file a stipulation of dismissal. If the Parties do not agree to a negotiated settlement, they shall so inform the Court and the Action will continue under a schedule in which all current deadlines are adjourned by eight weeks.

DATED: June 24, 2020

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Sara Jayne Kennedy Colombo*

IT IS SO ORDERED

Date: June _____, 2020

Hon. Vera M. Scanlon
United States Magistrate Judge